

1 District Judge Barbara J. Rothstein
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 TSIGAB A. GEBRAY, *et al.*,

No. 2:23-cv-870-BJR

10 Plaintiffs,

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND ORDER

11 v.

12 ALEJANDRO MAYORKAS, *et al.*,

13 Defendants.

14 Plaintiffs and Defendants, by and through their counsel of record, pursuant to Federal Rule
15 of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to
16 continue to stay these proceedings through August 19, 2024. Plaintiffs brought this case pursuant
17 to the Administrative Procedure Act and Mandamus Act seeking an order compelling the
18 Government to complete processing of their Form 1-730s, Refugee/Asylee Relative Petitions.
19 This case is currently stayed through May 20, 2024. Dkt. No. 24, Order. For good cause, the
20 parties request that this case continue to be stayed through August 19, 2024.

21 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706
22 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to
23 control the disposition of the causes on its docket with economy of time and effort for itself, for

24 STIPULATED MOTION TO HOLD
CASE IN ABEYANCE
23-cv-870-BJR

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

1 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.
 2 P. 1.

3 With additional time, this litigation should be resolved in its entirety. Since the last filing,
 4 the government has completed processing the beneficiaries’ boarding foils. Based on medical
 5 reports from exams performed by the United Nations’ International Office of Migration (“IOM”),
 6 the Embassy found the beneficiaries to be medically eligible for travel documents. The Refugee
 7 Processing Center found a resettlement agency to sponsor the beneficiaries. As a result, the
 8 Embassy issued boarding foils so that the beneficiaries can fly to the United States. The Embassy’s
 9 work on this matter is now complete. IOM is in the process of making the necessary travel
 10 arrangements. IOM was attempting to schedule flights for this week, but the beneficiaries need to
 11 provide renewed (valid) travel documents so that IOM can reschedule their travel. Plaintiffs
 12 estimate that it will take approximately 3 months to obtain renewed travel documents from the
 13 Ethiopian government.

14 Therefore, the parties believe good cause exists to stay this proceeding through August 19,
 15 2024, to save the parties and the Court from spending unnecessary time and judicial resources on
 16 this matter. Accordingly, the parties jointly stipulate and request that the Court stay these
 17 proceedings through August 19, 2024. The parties will submit a joint status report on or before
 18 August 19, 2024.

19 Dated: May 20, 2024

20 Respectfully submitted,

21 TESSA M. GORMAN
 United States Attorney

22 *s/Michelle R. Lambert*
 MICHELLE R. LAMBERT, NYS #4666657
 Assistant United States Attorney
 United States Attorney’s Office

1 1201 Pacific Avenue, Suite 700
2 Tacoma, Washington 98402
3 Phone: 253-428-3824
4 Email: michelle.lambert@usdoj.gov
5 *Attorneys for Defendants*

6 *I certify that this memorandum contains 377 words,*
7 *in compliance with the Local Civil Rules.*

8 *s/ Jane Marie O'Sullivan*
9 JANE MARIE O'SULLIVAN
10 WSBA#34486
11 O'Sullivan Law Office
12 2417 Pacific Avenue SE, 2nd Floor
13 Olympia, Washington 98501
14 Phone: 206-340-9980
15 Email: jane@osullivanlawoffice.com
16 *Attorney for Plaintiff*

ORDER

The parties having stipulated and agreed, it is hereby so ORDERED. The parties shall file a joint status report on or before August 19, 2024.

DATED this 22nd day of May, 2024.

Barbara Rothstein

Barbara Jacobs Rothstein
U.S. District Court Judge